

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS MARTEL,

Plaintiff,

No. CIV S-04-0014 DFL PAN P

vs.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

ORDER AND

ORDER TO SHOW CAUSE

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Several matters are pending before the court.

On December 27, 2005, plaintiff filed a motion for leave to amend his complaint together with a proposed amended complaint. Defendants have not opposed the motion. Good cause appearing, defendants will be directed to show cause in writing why plaintiff's motion should not be granted.

On January 19, 2006, defendants filed a request for an extension of time, to an including February 2, 2006, to serve a response to a set of interrogatories served by plaintiff on December 7, 2005. Good cause appearing, defendants' request will be granted nunc pro tunc to February 2, 2006.

////

1 Finally, on February 15, 2006, defendants filed a document styled as an opposition  
2 to a motion to compel that defendants represent was mailed to them by plaintiff on January 30,  
3 2006. No motion to compel has been filed in this court on or after that date. Defendants'  
4 opposition will be placed in the court record and disregarded.

5 In accordance with the above, IT IS HEREBY ORDERED that:

6 1. Within twenty days from the date of this order defendants shall show cause in  
7 writing, if any they have, why plaintiff's December 27, 2005 motion to amend his complaint  
8 should not be granted;

9 2. Defendants' January 19, 2006 request for extension of time to serve responses  
10 to interrogatories is granted nunc pro tunc to February 2, 2006; and

11 3. Defendants' February 15, 2006 opposition to plaintiff's motion to compel shall  
12 be placed in the court record and disregarded.

13 DATED: February 27, 2006.

14  
15   
16 UNITED STATES MAGISTRATE JUDGE

17 12  
18 mart0014.o  
19  
20  
21  
22  
23  
24  
25  
26